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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,368	06/15/2001	Amir Aliabadi	70655.7900	6711
66170	7590	08/30/2007		
AMERICAN EXPRESS TRAVEL RELATED SERVICES CO., INC. c/o SNELL & WILMER, L.L.P. ONE ARIZONA CENTER 400 E. VAN BUREN STREET PHOENIX, AZ 85004-2202			EXAMINER GART, MATTHEW S	
			ART UNIT 3625	PAPER NUMBER
			MAIL DATE 08/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/882,368	Applicant(s) ALIABADI ET AL.	
	Examiner Matthew S. Gart	Art Unit 3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6-13,16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,6-13,16,17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/20/2007, 7/20/2005</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Prosecution History Summary

Claims 2, 5 and 14-15 have been canceled.

Claims 1, 3-4, 6-13 and 16-17 are pending in the instant application.

Response to Arguments

The rejection of claims 1, 3-4, 6-13 and 16-17 under 35 U.S.C. 102(e) as being anticipated by Smith (U.S. Patent No. 6,895,388) has been vacated in light of Applicant's remarks submitted on 7/2/2007.

Information Disclosure Statement

The IDS submitted on 8/20/2007 and 7/20/2005 has been considered by the Examiner.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3-4, 6-13 and 16-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "said supplier" in the extracting step. There is insufficient antecedent basis for this limitation in the claim. The claim should be amended to recite the limitation, "extracting an image from said product feed when said source is said at least one of said suppliers."

Claim 1 recites the limitation "said provider" in said retrieving step. There is insufficient antecedent basis for this limitation in the claim. The claim should be amended to recite the limitation, "retrieving an image from a website of said at least one of said providers when said source is said at least one of said providers."

Claim 1 recites the limitation "said image" in said parsing step. There is insufficient antecedent basis for this limitation in the claim. It is unclear if said image is said extracted image or said retrieved image.

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Claim 1 recites the limitation "...parsing said normalized data feed and said image into categorized data elements to determine when a category exists in a product table which corresponds to a categorized data element..." It is unclear if said "a categorized data element" corresponds to the previous "categorized data elements."

Claim 1 recites the limitation "said user" in said providing step. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "providing said integrated data to said user such that said user may utilize a single shopping website to search for, compare prices and order said products..." This limitation is not commensurate with the preamble, whereby the provide provides a computer-implemented method for collecting product data to facilitate at least one of searching, viewing and purchasing..."

Claim 6 recites the limitation "said provider." There is insufficient antecedent basis for this limitation in the claim. The claim should be amended to recite the limitation, "said at least one of said providers."

Claim 10 recites the limitation "said at least one searchable database." There is insufficient antecedent basis for this limitation in the claim.

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Claim 12 recites the limitation "said buffer." There is insufficient antecedent basis for this limitation in the claim.

Examiner Comments

The pending claims are replete with 35 U.S.C. 112, second paragraph issues.

The Examiner respectfully requests said Applicant to review said rejected claim set for any additional 35 U.S.C. 112, second paragraph issues unintentionally overlooked by the Examiner.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

ISyndicate and InfoSpace Team to Broadly Deliver Consumer Services, PR Newswire, New York, March 20, 2000.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew S. Gart whose telephone number is 571-272-3955. The examiner can normally be reached on M-F, 9-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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MSG

Primary Examiner

AU 3625


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